

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Recommendations Approved by the)	IB Docket No. 04-286
Advisory Committee for the)	
2012 World Radiocommunication)	
Conference)	
)	
Document WAC/129(08.03.11))	

COMMENTS OF LIGHTSQUARED SUBSIDIARY LLC

LightSquared Subsidiary LLC ("LightSquared") hereby submits these comments in response to the March 10, 2011 *Public Notice* ("PN") in the above-captioned proceeding. While LightSquared does not take a position in support of either of the WRC 2012 Advisory Committee proposals included in Document WAC/129(08.03.11) pertaining to terrestrial services, as explained further below, LightSquared strongly objects to language in Proposal B of WAC/129 that suggests there is "well established" incompatibility between RNSS operations in the 1559-1610 MHz band and terrestrial operations in adjacent bands.

In WAC/129, the Advisory Committee was unable to reach a consensus on a recommended US proposal on WRC-12 agenda item 8.2 for a WRC-15 agenda item for mobile broadband and BWA and consequently submitted two draft US proposals. Proposal B – supported by, *inter alia*, the U.S. GPS Industry Council, Boeing, and Lockheed Martin – includes language characterizing it as "well established that there

is inherent incompatibility between BWA/IMT systems and low-power radionavigation-satellite service (RNSS) signals that are provided in the 1164-1215 MHz, 1215-1300 MHz, and 1559-1610 MHz bands, and that the incompatibility extends to BWA/IMT systems that operate in both the RNSS and adjacent/near adjacent bands.”¹

The Commission’s ancillary terrestrial component (“ATC”) rulemaking and licensing proceedings directly contradict this claim. In 2003, the Commission adopted rules that authorize ATC operations in the L-band, the lower portion of which is adjacent to the RNSS band, and that require ATC stations using L-band frequencies to comply with out-of-band emissions (“OOBE”) limits that are intended to protect RNSS operations.² In a coordination agreement with the U.S. GPS Industry Council, moreover, LightSquared agreed to tighter OOBE limits that the Commission’s International Bureau incorporated into LightSquared’s ATC authorization.³ If incompatibility between L-band ATC and RNSS were “well established,” the Commission would not have adopted OOBE limits for L-band ATC to protect RNSS and would not have authorized L-band ATC operations.

¹ *Recommendations Presented at 8 March 2011 Meeting of the Advisory Committee for the 2012 World Radiocommunication Conference*, Attachment 1 to FCC PN DA 11-447, at 26 (Mar. 10, 2011) (recognizing e of WAC/129, Proposal B).

² See *Flexibility for Delivery of Communications by Mobile Satellite Service Providers in the 2GHz Band, the L-Band, and the 1.6/2.4 GHz Band*, 01-185, Report and Order and Notice of Proposed Rulemaking, 18 FCC Rcd 1962 (2003) (“2003 ATC Order”) at ¶¶ 181-184. See also 47 C.F.R. §§ 25.253(d)(9), 25.253 (g)(3).

³ See *In the Matter of Mobile Satellite Ventures LLC*, 19 FCC Rcd 22144, 22156-57 ¶¶ 34-36 (2004); see also *2003 ATC Order*, at 20 52-53 ¶¶ 184. LightSquared later agreed to special limits for femtocells, and these limits also have been incorporated into LightSquared’s ATC authorization. See *In the Matter of SkyTerra Subsidiary LLC*, DA 10-534 (Int’l Bur., March 26, 2010), ¶ 45.

In addition, as the Commission is well aware, pursuant to a conditional waiver granted on January 26, 2011,⁴ LightSquared has formed a working group to study the potential for overload interference to GPS devices operating in the 1559-1610 MHz band from its planned terrestrial operations in its authorized, adjacent L-band spectrum. This working group is chaired by LightSquared and the U.S. GPS Industry Council, and includes participants from a variety of federal government, military, and commercial GPS users, as well as wireless carriers such as AT&T and Verizon.⁵ Pursuant to the conditional waiver, testing is to be completed by June 15, 2011, and LightSquared is required to submit a final report by that date “that includes the working group’s analyses of the potential for overload interference to GPS devices from LightSquared’s terrestrial network of base stations, technical and operational steps to avoid such interference, and specific recommendations going forward to mitigate potential interference to GPS devices.”⁶

In light of the ongoing efforts of the working group, as well as the OOB limits discussed above, it is both premature and inaccurate to state that it is “well established that there is inherent incompatibility” between RNSS operations in the 1559-1610 MHz band and terrestrial wireless operations in adjacent L-band spectrum. Accordingly, and

⁴ *LightSquared Subsidiary LLC; Request for Modification of its Authority for an Ancillary Terrestrial Component*, SAT-MOD-20101118-00239, DA 11-133, ¶ 41-43 (rel. Jan. 26, 2011) (“*Conditional Waiver Order*”).

⁵ See Letter from Henry Goldberg, Counsel for LightSquared Subsidiary LLC, to Marlene H. Dortch, Secretary, Federal Communications Commission, File No. SAT-MOD-20101118-00239 (Mar. 15, 2011) (attaching first progress report of the working group to study the potential for overload Interference to GPS devices, including biographical information on working group participants).

⁶ *Conditional Waiver Order*, ¶ 43.

in recognition of the ongoing testing and analysis being performed by the Working Group in accordance with the Commission's requirements, the language quoted above alluding to incompatibility between RNSS and BWA/IMT systems should be deleted from Proposal B were this proposal to be adopted in whole or part.

Respectfully submitted,

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